

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DEVISION**

**BRUNSWICK HILLS GOLF CLUB,
INC., et al.**

Plaintiffs/Relators

v.

**BRUNSWICK HILLS TOWNSHIP,
OHIO,**

Defendant/Respondent.

CASE NO:

JUDGE:

**NOTICE OF REMOVAL OF CIVIL
ACTION**

From the Medina County, Ohio Court of
Common Pleas
Case No. 20CIV0487
(Jury Demand Endorsed Hereon)

The defendant/respondent (“defendant”), Brunswick Hills Township, Ohio, pursuant to 28 U.S.C. §1331, §1441 and §1446, respectfully states:

1. On July 6, 2020, the above-entitled civil action was filed against the defendant in the Court of Common Pleas, Medina County, Ohio, assigned Case No. 20CIV0487. An authentic copy of the plaintiffs’ complaint is attached hereto as Exhibit A.

2. The complaint was served upon the defendant via certified mail on July 9, 2020. A copy of the certified mail certificate is attached hereto as Exhibit B.

3. On August 4, 2020, the defendant, the removing party, served an answer on the complaint, which was also filed with the state court on August 4, 2020. A true and accurate copy of the answer is attached hereto as Exhibit C.

4. An exemplar of the summons issued from the state court is attached hereto as Exhibit D, together with copies of the remaining filings from the state court proceedings to date.

5. No further proceedings have been had in the Court of Common Pleas, Medina County, Ohio.

6. The above-entitled cause of action is a civil action for money damages arising out of alleged violations of the Fifth and Fourteenth Amendments to the United States Constitution, alleged violations of the Ohio Constitution, along with 42 U.S.C. § 1983. In substance, the plaintiff alleges the defendant violated plaintiffs' substantive due process rights and unlawfully deprived the plaintiffs of property without just compensation.

7. This Court has original jurisdiction of the above-entitled action pursuant to 28 U.S.C. §1331, and this action may therefore be removed to this Court pursuant to 28 U.S.C. §1441(a).

8. Pursuant to 28 U.S.C. §1446(b), this notice is timely filed with this Court within 30 days after service on the defendant of the summons and complaint in the above-entitled action.

9. As removing defendant is the only named defendant, 28 U.S.C. §1446(b)(2)(A) has been complied with.

10. A copy of this Notice of Removal will be promptly filed with the state court, consistent with 28 U.S.C. §1446(d).

WHEREFORE, Notice is hereby given that the above-entitled action is removed from the Court of Common Pleas, Medina County, Ohio, to the United States District Court for the Northern District of Ohio.

Dated this 5th day of August, 2020.

Respectfully submitted,

S/Gregory A. Beck

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PROOF OF SERVICE

I hereby certify that on August 5, 2020, a copy of the foregoing Notice of Removal was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

S/Gregory A. Beck

Gregory A. Beck
Tonya J. Rogers
BAKER, DUBLIKAR, BECK,
WILEY & MATHEWS